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Mail Stop AF



Response under 37 C.F.R. 1.116
 Expedited Procedure Requested
 Examining Group. 3738
 Attorney Docket No. P24077

In re application of: Shionnosuke NAKAHARA et al.

Application No. : 10/642,684

Group Art Unit : 3738

Filed : August 19, 2003

Examiner : Bruce SNOW

For : INTERVERTEBRAL CAGE

Mail Stop AF

Commissioner for Patents
 U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop AF
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Sir:

Transmitted herewith is a **Response under 37 C.F.R. 1.116** in the above-captioned application.

☒ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☐ A Request for Extension of Time.

☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 4	*20	0	x25=	\$0.00	x 50=	\$
Indep. Claims: 1	**3	0	x100=	\$0.00	x200=	\$
Multiple Dependent Claims Presented			+180=	\$0.00	+360=	\$
Extension Fees for ____ Month(s)				\$0.00		\$
Total:				\$0.00	Total:	\$

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

☐ A check in the amount of \$ ____ to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

William E. Lyddane
 Bruce H. Bernstein
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 William E. Lyddane
 Reg. No. 41,568



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shinnosuke NAKAHARA et al.

Group Art Unit: 3738

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RESPONSE UNDER 37 CFR § 1.116

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
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401 Dulany Street
Alexandria VA 22314

Sir:

In response to the Official Action dated May 4, 2006, setting a shortened three-month statutory period for response to expire on August 4, 2006, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections in view of the herein contained amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this document.

Remarks/Arguments begin on page 4 of this document.